

### REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The claims are 24-43 and 46-52, with claims 1-23 having been previously cancelled and claims 44 and 45 having been withdrawn from consideration as drawn to a non-elected invention.

Claims 24, 39, 40, 41, 46 and 47 have been amended to more clearly define the invention. In particular, these claims have been amended to specify that the radiation receivers are "electromagnetic radiation receivers". Support for the amendments to claims 24, 39, 40, 41, 46 and 47 may be found, *inter alia*, in the specification as filed at page 4, fourth paragraph. Claim 24 was also amended to insert the word "are" at line 3 as suggested by the Examiner and claim 37 has also been amended to delete the extraneous period as suggested by the Examiner. Claims 32, 33 and 37 have been amended to replace the abbreviation "US" with the word "ultrasonic". Claims 48 and 50 have been amended to delete their dependency on withdrawn claim 44. Claim 49 has been amended to delete the phrase "one of

claims" preceding the reference to claim 46.

No new matter has been added.

The specification has been amended to insert a number of paragraphs which were included in the original specification as filed on May 12, 2006 but were deleted in the Preliminary Amendment accompanying the original specification. No new matter has been added.

Claims 24 and 37 were objected to for the informalities set forth at page 2 of the Office Action. As set forth above, claim 24 has been amended to insert the word "are" at line 3 and claims 37 has been amended to delete the extraneous period as suggested by the Examiner.

In view of the foregoing, it is believed that the objections to claims 24 and 37 are overcome and Applicant respectfully requests withdrawal of the objections to these claims.

Claims 24-34, 36, 46, 48, and 50-52 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No.

4,247,922 to *Jackson et al.* in view of U.S. Patent 5,889,490 to *Wachter et al.* Claim 49 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Jackson et al.* in view of *Wachter et al.* as applied to claim 46 and further in view of U.S. Patent No. 5,280,457 to *Figueuroa et al.* Applicant acknowledges with appreciation the Examiner's indication at page 8 of the Office Action that claims 35, 37-43 and 47 are merely objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The rejections are respectfully traversed.

As set forth in independent claim 24, as amended, Applicant's invention provides a locating arrangement including a plurality of ultrasonic transmitters arranged along a path. The distance between adjacent ultrasonic transmitters is greater than one meter and at least three electromagnetic radiation receivers are arranged along the path.

As set forth in independent claim 46, as amended, Applicant's invention also provides a location determining method wherein a locating arrangement is constructed including a

plurality of ultrasonic transmitters along at least one path. At least two electromagnetic radiation receivers or two radiation transmitters that receive radiation are constructed from at least one region irradiated with sound by a transmitter. At least one identification unit is introduced into a region irradiated with sound by at least two transmitters. Ultrasonic propagation time measurement is carried out from at least two transmitters to the identification unit and at least one propagation time datum is determined. A fine position of the identification unit is determined depending on the propagation time datum. A coarse position of the identification unit is determined using at least two radiation transmitters or electromagnetic radiation receivers. The fine position and the coarse position are combined to form a location datum.

Applicant respectfully submits that none of the cited references, whether considered alone or in combination, teach or suggest a locating arrangement or a location determining method as set forth in Applicant's claims.

The primary reference to *Jackson et al.* discloses an object position and condition detection system including ultrasonic transmitters 42, 52 and ultrasonic receivers 32L and 32R on a

vehicle in a path under surveillance. The ultrasonic receivers detect the sonic signal transmitted by the ultrasonic transmitters.

*Wachter et al.* discloses a high resolution ranging method and apparatus in which high frequency modulation of an acoustic or electromagnetic transmitter, such as a laser, is performed at a modulation frequency. An encoded burst pattern contained in a collected return signal is detected by a receiver that is tuned to be sensitive to the modulation frequency. Transceiver energies used with the method may be in the acoustic energy band or in the optical, X-ray, radio frequency, microwave, millimeter wave or other electromagnetic energy bands.

It is respectfully submitted that the Examiner's reliance on *Jackson et al.* and *Wachter et al.* is misplaced. The Examiner has apparently equated the ultrasonic receivers according to *Jackson et al.* and *Wachter et al.* to Applicant's radiation receivers. As set forth in Applicant's claims, as amended, Applicant's radiation receivers are electromagnetic radiation receivers and not ultrasonic receivers as set forth in the cited references. In particular, neither *Jackson et al.* nor *Wachter et al.* show electromagnetic radiation receivers in a position along the same

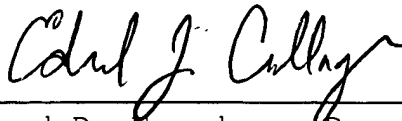
path as ultrasonic transmitters as set forth in Applicant's claims.

The secondary reference to *Figueiroa et al.* has been considered but is believed to be no more relevant.

In summary, claims 24, 32, 33, 37, 39, 40, 41, 46, 47, 48, 49 and 50 have been amended. The specification has been amended. No new matter has been added.

In view of the foregoing, Applicant respectfully submits that the pending claims, which are claims 24-43 and 46-52 are patentable over the cited references. It is respectfully requested that the claims be allowed and that this application be passed to issue.


Respectfully submitted,  
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 25, 2009.



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